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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SEAT SACK, INC.,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	CASE NO. 07-CIV-3344 (RJH)(DFE)
	:	
CHILDCRAFT EDUCATION CORP.;	:	NOTICE OF MOTION TO DISMISS
US OFFICE PRODUCTS COMPANY;	:	PURSUANT TO FEDERAL RULES OF
US OFFICE PRODUCTS NORTH	:	<u>CIVIL PROCEDURE 9(b) AND 12(b)(6)</u>
ATLANTIC DISTRICT, INC.; and	:	
SCHOOL SPECIALTY, INC.,	:	
	:	
Defendants.	:	
-----	X	

PLEASE TAKE NOTICE that, upon the annexed Declaration of Anthony S. Baish, executed on June 27, 2007 and the exhibits thereto, the accompanying Memorandum of Law, and upon all pleadings filed herein, defendants Childcraft Education Corp and School Specialty, Inc. ("Childcraft") will move this Court, before the Honorable Richard J. Holwell, United States District Judge, in the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 17B, New York, New York, 10007-1312, for an order dismissing the Verified Complaint in the above-referenced action (dated February 6, 2007) pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure on August 8, 2007, or any date thereafter convenient to the Court and parties.

PLEASE TAKE FURTHER NOTICE that, in accordance with this Court's May 31 2007 order, plaintiff shall file its opposition to the motion on or before July 25, 2007, and Childcraft shall file its reply on or before August 8, 2007.

Dated: June 27, 2007

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: s/ Richard W. Mark

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